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Letter dated 9 April 2008 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

I have the honour of writing to you in your capacity as the President of the Security Council for the month of April 2008, and would like to request your kind assistance in circulating as a document of the Security Council the present letter and statement of the Ministry of Foreign Affairs of Georgia, dated 8 April 2008 (see annex).

(*Signed*) Irakli **Alasania**
Ambassador
Permanent Representative

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Annex to the letter dated 9 April 2008 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia

The Ministry of Foreign Affairs of Georgia is compelled to focus again the international community's attention on another in a series of provocative steps taken by the Russian Federation with respect of Abkhazia, Georgia.

In particular, the Ministry of Justice of Georgia received a letter from the Ministry of Justice of the Russian Federation, in which the Russian side expresses its will and intention to enter into direct cooperation with the "Abkhazian authorities" concerning the transfer of prisoners holding Russian citizenship and serving their sentences on the territory of Abkhazia.

The Ministry of Justice of the Russian Federation has made an effort to justify this intention by referring to the 1983 Convention on the Transfer of Sentenced Persons of the Council of Europe.

The Ministry of Foreign Affairs of Georgia states that the Convention on the Transfer of Sentenced Persons is an international agreement and, pursuant to Article 2 (paragraph 1, subparagraph (a)) of the 1969 Vienna Convention on the Law of Treaties, only sovereign States can be parties thereto. The 1983 Convention of the Council of Europe therefore excludes the possibility of any form of direct cooperation between the Russian Federation and one of Georgia's regions — Abkhazia.

From a legal standpoint, the intention of the Russian Ministry of Justice contradicts the 1983 Convention of the Council of Europe as well as the Charter of the United Nations and other main principles and norms of international law.

The political aspect of the matter is, however, even more alarming. The Russian side has taken a great number of provocative and aggressive steps with respect to Georgia's regions in conflict in the last two months. Those steps have led Russia to withdraw unilaterally from the regime of sanctions against the military build-up in Abkhazia. The Russian President pledged "substantial rather than declarative" assistance to the separatist regimes in its official letter. The Russian State Duma adopted a resolution that reaffirms, in the most direct terms, support for separatism and represents as an infringement of Georgia's sovereignty and territorial integrity.

Against such a background, the letter of the Russian Ministry of Justice can be considered as nothing but part of the Russian Federation's destructive policy, which aims at achieving the legitimization of the separatist regimes in the territory of Georgia and the full-fledged economic, legal and political integration of the regions in conflict with Russia. International law qualifies such policy as creeping annexation of a sovereign State.

The Ministry of Foreign Affairs of Georgia expresses its extreme protest over the Russian Federation's provocative steps and calls on the international community to give adequate assessment to such acts.